

REMARKS AND DISCUSSION

Upon entry of the present proposed Amendment, the claims in the application are claims 20, 27, 30-33 and 37-57, of which claims 20, 49, 54 and 57 are independent, and of which claims 49-57 have been withdrawn from consideration by the Examiner as directed to a constructively non-elected invention. Applicant has canceled previously withdrawn apparatus claims 14-16, 19 and 36, without prejudice and without dedication or abandonment of the subject matter thereof, in order to simplify the issues under consideration.

In the above amendments, claim 20 is further amended to further specify that the claimed method includes a step of pretreating the paint-finished automobile body, including substeps of washing the paint-finished automobile body and dehydrating the paint-finished automobile body.

Applicant respectfully submits that the proposed amendments are fully supported by the original disclosure, including Figure 1 of the drawings and the discussion thereof in the original specification. Applicant also respectfully submits that no new matter is introduced into the application by the above amendments.

Restriction Requirement

In the above-identified Office Action, the claims have been placed under a further restriction requirement under MPEP 803 and 35 U.S.C. 121.

SUMMARY OF THE EXAMINER'S POSITION

Specifically, the Examiner has identified the following inventions:

- I. The species of claims 20, 27, 30-33 and 37-48, drawn to a vehicle manufacturing method including press-forming, classified in class 29, subclass 458.
- II. The species of claims 49-57, drawn to a method of protecting a painted exterior

surface, classified in class 427, subclass 154.

The Examiner has required restriction to one of the identified species for examination.

Applicant respectfully traverses the restriction requirement in the above-identified Office Action, and requests reconsideration and withdrawal thereof. Applicant respectfully suggests that the claims are drawn to different aspects of a single inventive concept, and should not be subject to restriction.

Even if the Examiner remains convinced that the claims are not all drawn to a single inventive concept, applicant respectfully suggests that all of the pending claims are drawn to closely associated inventions.

Moreover, applicant respectfully points out that MPEP section 803 states that

"if the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions."

Applicant respectfully suggests that the examination of the entire application would not place a serious burden on the Examiner. Applicant therefore respectfully requests that the Examiner reconsider the Restriction Requirement, and examine the species identified as Groups I and II together. In support of Applicant's position, it is noted that all of the claims of groups I and II are method claims relating generally to vehicle manufacturing processes.

Therefore, Applicant requests reconsideration and withdrawal of the Restriction Requirement.

However, notwithstanding the above, and in order to comply with Patent Office requirements, applicant elects, with traverse, the group identified by the Examiner as Invention I. It is applicant's understanding and belief that each of Claims 20, 27, 30-33 and 37-48 are drawn to the elected species.

Drawing Issues

In item 3 of the above-identified Office Action, the Examiner has objected to the drawings, because Figure 8 is missing from the application file. Applicant submits a replacement Figure 8 with the present amendment. No new matter is added by the replacement drawing, since it is the same as Figure 8 of the parent application.

Objection to the Specification

In item 4 of the above-identified Office Action, the Examiner objected to the specification, taking the position that the amendment filed 3/27/03 introduced new matter into the disclosure. Applicant traverses this assertion of the Examiner, and requests reconsideration and withdrawal thereof. Applicant submits that all of the subject matter introduced in the amendment of 3/27/03 was expressly or inherently disclosed in the original specification. Applicant therefore requests reconsideration and withdrawal of the Examiner's objection to the specification.

35 USC 103(a) Issues

In item 6 of the Office Action, the Examiner rejected claims 20, 27, 30-33 and 37-48 under 35 USC 103(a) as unpatentable over Grogan in view of Omori et al, or vice-versa. Applicant has further amended independent claim 20 by the present amendment, to further

specify that the claimed method includes a step of pretreating the paint-finished automobile body, where the pretreating step includes substeps of washing the paint-finished automobile body and dehydrating the paint-finished automobile body.

By cleaning the paint-finished automobile body in the pretreatment step, the strippable paint can be appropriately, reliably and smoothly applied to the exterior surface of the cleaned paint-finished automobile body. A film of strippable paint, thus applied, can remain present on the automobile body exterior surface over a long period of time, as experienced during storage, shipping or delivery of the finished automobile.

Applicant respectfully suggests that the method of claim 20, as presently amended, distinguishes over the teachings of the cited references. Applicant respectfully requests reconsideration and withdrawal of the rejection of record, in light of the new amendment.

Double Patenting Issues

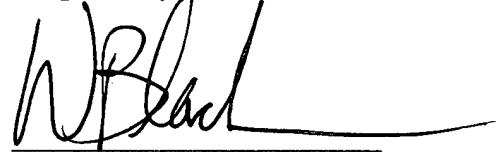
In item 8 of the above-identified Office Action, the Examiner provisionally rejected claims 20, 27, 30-33 and 37-48 as unpatentable over the pending claims of copending application 08/398,881. Applicant is fully prepared to file a terminal disclaimer in the present application specifying that any patent issuing from the present application will expire concurrently with any patent issuing from co-pending parent application 08/398,881. Applicant requests deferral of the requirement for filing a terminal disclaimer until such time as claims are allowed in the present application.

Conclusion

Based on the foregoing, applicant respectfully submits that the rejections of the claims in this application are overcome, and it is respectfully requested that the rejections be reconsidered and withdrawn.

Favorable consideration is respectfully requested.

Respectfully submitted,



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CERTIFICATE OF MAILING

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